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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ANNIE M. SCALES,)	
)	
Plaintiff(s),)	2:15-cv-00369-APG-NJK
)	
vs.)	<u>REPORT AND</u>
)	<u>RECOMMENDATION</u>
LAS VEGAS POLICE DEPARTMENT,)	
)	
Defendant(s).)	

Plaintiff is proceeding in this action *pro se* and has requested authority pursuant to 28 U.S.C. § 1915 to proceed *in forma pauperis*. Docket No. 1. Having reviewed the complaint in this case, Docket No. 1-1, it has become apparent that Plaintiff filed an identical complaint in 2:15-cv-00355-MMD-PAL (Docket No. 1-1) on February 27, 2015. Accordingly, the undersigned **RECOMMENDS** that this later-filed case be **DISMISSED** without prejudice.

NOTICE

Pursuant to Local Rule IB 3-2 **any objection to this Report and Recommendation must be in writing and filed with the Clerk of the Court within 14 days of service of this document.**

The Supreme Court has held that the courts of appeal may determine that an appeal has been waived due to the failure to file objections within the specified time. *Thomas v. Arn*, 474 U.S. 140, 142 (1985). This Circuit has also held that (1) failure to file objections within the specified time and (2) failure to properly address and brief the objectionable issues waives the right to appeal the District Court's order and/or appeal factual issues from the order of the District Court. *Martinez v. Ylst*, 951

1 F.2d 1153, 1157 (9th Cir. 1991); *Britt v. Simi Valley United Sch. Dist.*, 708 F.2d 452, 454 (9th Cir.
2 1983).

3 Dated: April 6, 2015

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NANCY J. KOPPE
United States Magistrate Judge
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